IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

WP(C).No. 17583 of 2004(R)

PETITIONERS:

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1. K.JOY, AGED 49,
S/O. LAE KURIAN, KATTUTHARA HOUSE,
PALLIPPURAM P.O. CHERTHALA, ALAPPUZHA DISTRICT.

2. P.K.RAJAPPAN, AGED 45,
S/O. LATE KUNJAYEE, REVATHY NILAYAM,
PALLIPPURAM PO., CHERTHALA, ALAPPUZHA DISTRICT

3. K.S.PURUSHOTHAMMAN, AGED 57,
S/O. LATE SREEDHARAN, POTTAKUZHI HOUSE,
PALLIPPURAM P.O., CHERTHALA, ALAPPUZHA DISTRICT.

BY ADV. SRI.MANJERI SUNDERRAJ
SRI.B.PREMNATH (E)

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY ITS
CHIEF SECRETARY, GOVERNMENT OF KERALA,
SECRETARIATE, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY,
THIRUVANANTHAPURAM.

3. THE DISTRICT COLLECTOR OF ALLAPPUZHA
CIVIL STATION, ALLAPPUZHA.

4. THE REVENUE DIVISIONAL OFFICER,
ALAPPUZHA DISTRICT.

5. THE SENIOR GEOLOGIST SPECIAL OFFICE OF
THE DEPARTMENT OF MINING AND GEOLOGY, BY PASS,
CHERTHALA, ALAPPUZHA.

6. THE SECRETARY, CHENNAM PALLIPPURAM GRAMAPANCHAYATH, PALLIPPURAM P.O., CHERTHALA, ALAPPUZHA DISTRICT.

7. THE SECRETARY, THYKKATTUSSERY GRAMAPANCHAYATH, PALLIPPURAM P.O., CHERTHALA, ALAPPUZHA DISTRICT.

8. C.K.SURESH BABU, CHOOZHIKATTIL HOUSE, CHERTHALA P.O., ALLAPPUZHA (DEPUTY THASILDAR, CHERTHALA TALUK.)

9. HI-TECH COMPANY, REPRESENTED BY ITS PROPRIETRESS, MRS.MADHAVI AMMA, RESIDING AT THUVANATTU HOUSE, WARD NO.IV, PALLIPURAM, ALAPPUZHA.

10. KRISHNAN NAIR, PUTHIYADATHU VEEDU, THYKKATTUSSERY P.O., CHERTHALA, ALAPPUZHA DISTRICT

11. HYMAVATHI, CHOOZHIKATTIL HOUSE, CHERTHALA P.O., ALAPPUZHA.

12. THANKAPPAN, MADATHIVELI, THYKKATTUSSERY P.O., ALAPPUZHA

13. C.K.MUTHALALI CHOOZHIKATTIL HOUSE, CHERTHALA P.O., ALAPPUZHA.

14. SOUTHERN MINES, PANAVALLY P.O., CHERTHALA, ALAPPUZHA REPRESENTED BY ITS PROPRIETRESS, MRS.SHANTHA BABU.

BY ADV. SRI.V.GIRI --- R8, R11 & R13
SRI.K.S.BHARATHAN
SRI.J.OM PRAKASH -- R12
SRI.G.GOPAKUMAR (CHERTHALA) – R6, R7
SRI.RASHEED C.NOORANAD
GOVERNMENT PLEADER S SMT. K.R.DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 17583/2004 R

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE COMPLAINT AGAINST ILLEGAL SAND MINING BEFORE THE REVENUE DIVISIONAL OFFICER (RDO), ALAPPUZHA.

EXT.P2. COPY OF THE COMPLAINT AGAINST ILLEGAL SAND MINING BEFORE THE GEOLOGIST CHERTHALA.

EXT.P3. COPY OF THE COMPLAINT AGAINST ILLEGAL SAND MINING BEFORE THE REVENUE DIVISIONAL OFFICER (RDO), ALAPPUZHA.

EXT.P4. COPY OF THE NEWS ITEM APPEARED IN MALAYALA MANORAMA REGARDING ILLEGAL SAND MINING.

EXT.P5. COPY OF THE NEWS ITEM APPEARED IN MALAYALA MANORAMA DAILY REGARDING ILLEGAL SAND MINING.

EXT.P6. COPY OF THE NEWS ITEM APPEARED IN MALAYALA MANORAMA REGARDING ILLEGAL SAND MINING.

EXT.P7. COPY OF THE NEWS ITEM APPEARED IN MALAYALA MANORAMA REGARDING ILLEGAL SAND MINING.

EXT.P8. COPY OF THE NEWS ITEM APPEARED IN MALAYALA MANORAMA REGARDING ILLEGAL SAND MINING.

EXT.P9. COPY OF THE NEWS ITEM APPEARED IN MALAYALA MANORAMA REGARDING ILLEGAL SAND MINING.

EXT.P10. COPY OF THE COMPLAINT AGAINST ILLEGAL SAND MINING BEFORE THE DIRECTOR MINING AND GEOLOGY THIRUVANANTHAPURAM.

EXT.P11. COPY OF THE COMPLAINT AGAINST ILLEGAL SAND MINING BEFORE THE DEPARTMENT OF MINING AND GEOLOGY, CHERTHALA.

EXT.P12. COPY OF THE COMPLAINT AGAINST ILLEGAL SAND MINING BEFORE THE DIST. COLLECTOR, ALAPPUZHA.

EXT.P13. COPY OF THE COMPLAINT AGAINST ILLEGAL SAND MINING BEFORE THE DIRECTOR DEPARTMENT OF MINING AND GEOLOGY, THIRUVANANTHAPURAM.

EXT.P14. COPY OF THE COMPLAINT AGAINST ILLEGAL SAND MINING BEFORE THE DEPARTMENT OF MINING AND GEOLOGY, CHERTHALA.

EXT.P15. COPY OF THE COMPLAINT AGAINST ILLEGAL SAND MINING BEFORE THE DIST. COLLECTOR, ALAPPUZHA.

EXT.P16. COPY OF THE NEWS ITEM APPEARED IN MATHRUBHUMI DAILY REGARDING ILLEGAL SAND MINING.

EXT.P17. COPY OF THE NEWS ITEM APPEARED IN MALAYALA MANORAMA DAILY REGARDING ILLEGAL SAND MINING.

EXT. P18. COPY OF THE NEWS APPEARED IN MALAYALA MANOARAMA DAILY REGARDING ILLEGAL SAND MINING.

EXT.P19. COPY OF THE NEWS ITEM APPEARED IN MATHRUBHUMI DAILY REGARDING ILLEGAL SAND MINING.

EXT.P20. COPY OF THE NEWS ITEM APPEARED IN MALAYALA MANORAMA DAILY REGARDING ILLEGAL SAND MINING.

EXT.P21. COPY OF THE NEWS ITEM APPEARED IN MATHRUBHUMI DAILY REGARDING ILLEGAL SAND MINING.

EXT.P22. COPY OF THE NEWS ITEM APPEARED IN MALAYALA MANORAMA DAILY REGARDING ILLEGAL SAND MINING.

EXT.P23. COPY OF THE NEWS ITEM APPEARED IN MALAYALA MANORAMA DAILY REGARDING ILLEGAL SAND MINING.

True copy

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KURIAN JOSEPH, J.

W.P. (C). NO. 17583 OF 2004

Dated this the 30th day of July, 2007.

J U D G M E N T

Petitioners approached this Court with certain grievances regarding the alleged illegal mining of silica sand. In case the petitioners have still any grievance left, they may produce a copy of this judgment before the respondents 4 to 7, in which case, appropriate prompt action in the matter will be taken, with notice to the petitioners and the affected parties.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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